

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Global Brokerage, Inc. f/k/a FXCM, Inc. Securities Litigation
This Document Relates To: All Actions

Master File No. 1:17-cv-00916-RA-BCM

JOINT PROPOSED QUESTIONS FOR *VOIR DIRE*

Pursuant to Rule 47 of the Federal Rules of Civil Procedure and this Court’s Trial Procedures, Lead Plaintiff 683 Capital Partners, LP and Class Representatives Shipco Transport Inc. and E-Global Trade and Finance Group, Inc. (“Plaintiffs”) and Defendants Global Brokerage, Inc. (f/k/a FXCM, Inc.), Dror Niv, and William Ahdout (“Defendants,” and with Plaintiffs, the “Parties”) submit the following proposed questions for the *voir dire* of the jury panel after each potential juror completes the Court’s Juror Questionnaire.

PROPOSED VOIR DIRE QUESTIONS

Prior Jury Service

1. Have you ever served on a jury in any court? If, yes, (a) When and in what court did you serve? (b) Was it a civil or criminal case and were you the foreperson? (c) Without stating what your verdict may have been, did you reach a verdict? (d) Briefly tell us the nature of the case and whether you believe the verdict or final outcome was fair.

2. If you previously served on a jury, did you have any trouble in understanding the judge's charge to the jury on the law? If so, explain.

3. Did you have any trouble understanding the lawyers' arguments? If so, explain.

4. Is there anything about your past jury experiences which makes you believe you would be unable to serve fairly and conscientiously here? If so, explain.

Differences Between Criminal Case and Civil Case

5. Do you understand that this is a civil case, not a criminal case? What do you understand the differences to be?

Ability to Serve in This Case

6. This case deals with allegations of securities fraud. There will be some technical testimony about stock market activity and other technical business terms. Are you able to read and understand English well enough to follow testimony on these topics and to understand documents dealing with these topics?

7. The court has set aside 12 business days for this trial. Therefore, not counting the time it may take for your deliberations, you will be required to serve as a juror in this case for the better part of the month of February. Does that present any hardship?

8. Do you have any religious, philosophical, or other beliefs that would make you unable to be a fair or impartial juror in this case? If so, please explain.

9. Do you have any health problems (such as sight or hearing problems) that might affect your ability to serve as a juror? If so, please explain.

10. Do you understand that the job of a juror is to decide the facts in a case and apply the law as the judge instructs you?

11. Will you have any trouble applying the law as the judge explains it?

12. Even if you think the law is wrong, will you apply the law as the judge explains it?

Familiarity With This Case, Parties, Attorneys, Witnesses

13. Do you know any other member of the jury panel?

14. Do you know any of the lawyers in this case? [Insert names and firm names]

15. Have you or a family member ever purchased, sold, or otherwise invested in stock or other securities issued by Global Brokerage, Inc. or FXCM, Inc.?

16. Do you know any of the plaintiffs or defendants in this case? Do you know [insert names on witness list]?

17. Do you know anyone employed, associated, or connected in any way to [Insert names of entities associated on witness list]?

Specialized Training Questions

18. Have you or anyone close to you had any special training or work experience in any of the following? (a) Investing or investments, or securities; (b) Investing in the stock market; (c) Investing in foreign exchange (or FX) or foreign currencies; (d) Accounting industry, including financial audits or auditing a person or company's financial records; (e) Commodities or Futures Trading; or (f) Brokerage business? If yes to any, please describe your experience.

19. Have you ever heard the accounting terms: (a) “GAAP” or Generally Accepted Accounting Principles? (b) “GAAS” or Generally Accepted Auditing Standards? If yes, please explain your familiarity with those terms.

20. Have you or someone close to you had any special training or work experience in the legal field, including law enforcement, paralegal work, or the judicial system? If you or someone close to you works at a law firm, what is the name of the firm, what type of law, how close is the relationship, and will you promise not to seek that person’s advice about the case if you are selected as a juror here?

21. Do you or someone close to you have any special training, work experience, or knowledge of: (a) the SEC or the Securities and Exchange Commission? (b) FINRA or the Financial Industry Regulatory Authority? (c) the CFTC or the Commodity Futures Trading Commission? (d) the NFA or the National Futures Association? If yes, please describe.

Legal System/Lawsuit Experience Potential Bias

22. Have you, or have any of your relatives or close friends, ever been involved as a plaintiff (i.e., made a claim for money damages or filed a lawsuit) or defendant (i.e., been sued or had a claim for damages brought against you/them), class member, witness, paid consultant, or a complainant in any type of lawsuit, arbitration, or hearing? If yes, please describe, including if it resolved to your or that person’s satisfaction. If no, please explain why, and whether the outcome of that lawsuit would affect your ability in this case to be an entirely impartial juror.

23. Do you have any strong negative feelings about the legal system that would make it difficult for you to be a fair and impartial juror? If yes, please explain.

24. Do you have any close friends or family members who have had problems with the legal system that would make it difficult for you to be a fair and impartial juror? If yes, please explain.

25. Would you have any difficulty following the law as I give it to you during the course of this trial, even if you disagree with the law? If yes, please explain.

26. Do you have thoughts or feelings about class action lawyers or plaintiffs' lawyers who represent large groups of investors in court cases? If you have any, will your feelings about plaintiffs' lawyers or class action lawyers affect your evaluation of this case?

Other Potential Bias Questions

27. Does the fact that the Plaintiffs brought this lawsuit cause you to believe that the plaintiffs are entitled to recover some compensation from the defendants?

28. Have you or a family member experienced a significant loss in the value of any investments? If yes, what or who do you think caused the loss?

29. Have you or someone close to you ever filed for bankruptcy, or have you or someone close ever worked for a company that went bankrupt, or been affected by the financial problems of a company? If yes, please explain what happened.

30. Do you think anything about your investment experiences would prevent you from serving in this case as a fair and impartial juror? If so, please explain.

31. Have you ever traded on the foreign exchange or FX market? If so, please describe that trading.

32. Have you or any employer you have worked for been subject to an investigation or sanction from a regulatory body, for example the Securities Exchange Commission, FINRA, the

Commodity Futures Trading Commission, the National Futures Association, or the Public Company Accounting and Oversight Board? If so, please provide the details.

33. Have you had a negative experience with any of the following: (a) a brokerage firm; (b) an accounting firm; (c) an accountant or auditor; or (d) a large corporation? If yes, please explain.

34. Have you heard or read anything about this case, or about any of the parties, apart from what you have heard today in this courtroom? [Parties request any explanation or follow-up be done in in the Robing Room.]

General

35. In these questions, I have tried to direct your attention to possible reasons why you might not be able to serve as a fair and impartial juror. Aside from the questions I have already asked, do you have the slightest doubt for any reason whatsoever about your ability to conscientiously, fairly, and impartially serve in this case, and to render a true and just verdict without fear, favor, sympathy, or prejudice, and according to the law as it will be explained to you?